

## REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 16–27 and 29–36 will be pending. By this amendment, claims 16, 23 and 29 have been amended. No new matter has been added.

### §112 Rejection of Claim 36

In Section 7 of the Final Office Action of November 25, 2005 (hereinafter referred to as “the Office Action”), claim 36 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement for containing subject matter not described in the specification.

The Office Action states, “[t]he limitation “wherein at least one of said plurality of special effect categories is a transition category” is not disclosed in the specification (page 33) as pointed out by Applicants.” *Office Action, page 2, line 23 to page 3, line 2.*

Embodiments of the present invention provide for a special effects tray that includes text, effect, shaker and transition windows, each window essentially allowing a user access to a distinct category of special effects. *See Figures 8, 17, 18, 19 and 22.* That is, “[t]ags 271-1 to 271-4 are displayed on the special effect tray 261.” *Specification, page 20, lines 15–16.* Further, “[w]hen the tag 271-2 is displayed, a text window is displayed as shown in FIG. 17.” *Specification, page 20, lines 17–18.* “When ... tag 271-3 is selected, an effect window is displayed as shown in [Figure 18].” *Specification, page 21, line 13.* “When the tag 271-1 is selected, a shaker window for automatic edition is displayed as shown ... in FIG. 22.” *Specification, page 22, lines 17–18.* Lastly, “FIG. 19 represents a display example in a case where the tag 271-4 is selected. In this case, a transition window is displayed as shown in the

figure.” *Specification, page 22, lines 2–3.* (emphasis added) The Specification therefore discloses at the citations provided, the limitation “wherein at least one of said plurality of distinct special effects categories is a transition category,” as cited in claim 36.

Accordingly, it is submitted that the rejection of claim 36 based upon 35 U.S.C. §112, first paragraph has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 102 Rejection of Claims 16–24, 26–27 and 29–34

In Section 9 of the Office Action, claims 16–24, 26–27 and 29–34 stand rejected under 35 U.S.C. §102(b) as being anticipated by Miller *et al.* (U.S. Patent No.5,801,685; hereinafter referred to as “Miller”).

The Background Art Section of the Specification, it was indicated, “for editing image data using a personal computer, it is necessary that a user has to learn operating function of a personal computer, and it takes time to obtain the intended result of edition.” *Background of the Specification, page 1, lines 10–12.*

To address the above-described problems with a conventional information processing apparatus, of difficulty in user operation and inefficiency in obtaining an intended editing result, embodiments of the present invention include apparatus, method, and medium capable of editing image data simply and quickly to allow improved image editing.

For example, the steps of information processing method claim 29, as presented herein, includes:

*selecting* a material clip from a plurality of material clips for automatic editing process;

*storing* scenario data configured into a plurality of scenes having timing information including start time of each scene of said plurality of scenes;

*corresponding* data in said selected material clip as editing objects to said each scene of said plurality of scenes;

*modifying* said material clip with special effects so that said plurality of scenes includes transitions between scenes with special effects scenes,

*wherein* said special effects are selected from a plurality of distinct special effects categories, said distinct special effects categories including at least a text category, an effect category, and a shake category; and

*continuously reproducing* said plurality of material clips on the basis of said scenario data.

(emphasis added)

Accordingly, in one aspect of claim 29, the method includes modifying a material clip with special effects so that the plurality of scenes includes transitions between scenes with special effects scenes, *wherein* the special effects are selected from a plurality of distinct special effects categories, the distinct special effects categories including at least a text category, an effect category, and a shake category. See e.g., *Specification, pages 20–24; Figs. 17–19 and 22.* Claim 36 further states, “wherein at least one of said plurality of special effects categories is a transition category.” See, e.g., *Specification, page 22, lines 2–3.*

In Section 9, the Office Action states that Miller discloses, in column 5, lines 43–51, “the options of either adding or deleting video frames are special effects which are selected for modifying the material clip to decrease or increase the playback speed of the video clip, or to increase or decrease the play-time duration.” *Office Action, page 4, lines 12–15.* Applicants respectfully disagree with the characterization of simply adding or deleting video frames as a special effect in the context of the special effects provided by embodiments of the present invention, including text, animation, and shake effects. Miller states, “[w]hen a change is made

to the script text, to cause the start time of a video clip to be moved, the play-time duration of the video clip corresponding to the edited text must also be updated.” *Miller, Col. 5, lines 42–45.*

That is, if a textual script is altered after a video clip has been associated with it, the duration of the video clip must be altered accordingly, and Miller thus discloses lengthening or shortening the clip. By contrast, however, Miller fails to teach or suggest the use of special effects selected from a plurality of distinct special effects categories, the distinct special effects categories including at least a text category, an animation category, and a shake category. Miller therefore fails to teach or suggest all of the limitations of claim 29.

Based on the foregoing discussion, it is submitted that claim 29 should be allowable over Miller. Since claims 16 and 32 parallel claim 29, and include substantially similar limitations as recited in claim 29, claims 16 and 32 should also be allowable over Miller. Further, since claims 17–27, 30–31, and 33–34 depend from one of claims 16, 29 and 32, claims 17–27, 30–31, and 33–34 should also be allowable over Miller.

Accordingly, it is submitted that the rejection of claims 16–27 and 29–34 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### § 103 Rejection of Claim 25

In Section 12 of the Office Action, claim 25 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Miller in view of Abe (U.S. Patent No.6,714,216). This rejection is respectfully traversed.

Based on the foregoing discussion regarding claims 29 and 16, and since claim 25 depends from claim 16, it is submitted that claim 25 should be allowable over Miller. Abe was

merely cited for disclosing that the data in video editing is animation data. Claim 25 should therefore also be allowable over Miller and Abe.

Accordingly, it is submitted that the rejection of claim 25 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### § 103 Rejection of Claim 35–36

In Section 13 of the Office Action, claims 35–36 stand rejected under 35 U.S.C. §103(c) as being unpatentable over Miller. This rejection is respectfully traversed.

Based on the foregoing discussion regarding claim 29, and since claims 35–36 depend from claim 29, it is submitted that claims 35–36 should be allowable over Miller.

Accordingly, it is submitted that the rejection of claims 35–36 based upon 35 U.S.C. §103(c) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 16–27 and 29–36 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes

were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

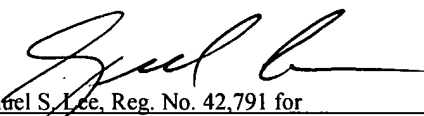
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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